

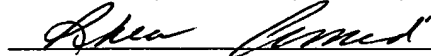


IFIN

PATENT
Docket No. 312762004100

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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Rhea Amid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Ping JIANG et al.

Serial No.: 10/712,782

Filing Date: November 12, 2003

For: FLUORESCENCE GUIDED CELL
CAPTURE

Examiner: Not Yet Assigned

Group Art Unit: 1646

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of ___ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of ___ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does

not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 312762004100. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 4, 2004

Respectfully submitted,

By: Kate H. Murashige
Kate Murashige
Registration No. 29,959

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Form PTO-14

Docket Number 312762004100

Application Number 10/712,782

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

Applicant

Ping JIANG et al.

Filing Date November 12, 2003

Group Art Unit 1646

Mailing Date August 4, 2004

U.S. PATENT DOCUMENTS

| Examiner Initials | Ref. No. | Date | Document No. | Name | Class | Subclass | Filing Date If Appropriate |
|----------------------|-------------|------|--------------|------|-------|----------|-------------------------------|
| | | | | | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials | Ref. No. | Date | Document No. | Country | Class | Subclass | Translation YES NO |
|----------------------|-------------|------|--------------|---------|-------|----------|-----------------------|
| | | | | | | | |

OTHER DOCUMENTS

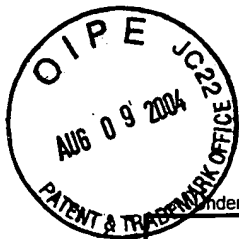
(including author, title, Date, Pertinent Pages, Etc.)

| Examiner Initials | Ref. No. | Title |
|----------------------|-------------|---|
| | 1. | Hoffman, The Lancet Oncology 3:546-556 (2002) |
| | 2. | Paweletz et al., Cancer Res. 60:6293-6297 (2000) |
| | 3. | Sgroi et al., Cancer Res. 59:5656-5661 (1999) |
| | 4. | Yang et al., Proc. Natl. Acad. Sci. USA 97:1206-1211 (2000) |
| | 5. | Yang et al., Proc. Natl. Acad. Sci. USA 12278-12282 (2000) |
| | 6. | Yang et al., Proc. Natl. Acad. Sci. USA 98:2616-2621 (2001) |
| | 7. | Yang et al., Proc. Natl. Acad. Sci. USA 99:3824-3829 (2002) |
| | 8. | Zhao et al., Proc. Natl. Acad. Sci. USA 98:9814-9818 (2001) |

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.



PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/712,782 | |
| | Filing Date | November 12, 2003 | |
| | First Named Inventor | Ping JIANG | |
| | Art Unit | 1646 | |
| | Examiner Name | Not Yet Assigned | |
| Total Number of Pages in This Submission | 6 | Attorney Docket Number | 312762004100 |

ENCLOSURES (Check all that apply)

| | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO-1449, 1 pg + duplicate 8 References Return Postcard |
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|---|
| Firm or Individual name | MORRISON & FOERSTER LLP Kate H. Murashige - 29,959 |
| Signature | <i>Kate H. Murashige</i> |
| Date | August 4, 2004 |

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Signature:

Rhea Amid

(Rhea Amid)